

# KING & SPALDING

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September 18, 2014

**VIA E-MAIL TRANSMISSION  
AND ECF FILING**

The Honorable Robert E. Gerber  
United States Bankruptcy Judge  
United States Bankruptcy Court  
Southern District of New York  
Alexander Hamilton Custom House  
One Bowling Green  
New York, New York 10004

**Re: In re Motors Liquidation Company, et al.  
Case No. 09-50026 (REG)**

**New GM's Monetary Relief Motion to Dismiss As It  
Relates To An Action Commenced by Stephen Yagman**

Dear Judge Gerber:

King & Spalding LLP is co-counsel with Kirkland & Ellis LLP for General Motors LLC ("**New GM**") in the above-referenced matter. We write in connection with the *Motion of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce This Court's July 5, 2009 Sale Order And Injunction (Monetary Relief Actions, Other Than Ignition Switch Actions) (with schedules and exhibits)* (the "**Motion**"), and the Scheduling Order entered by the Court in connection therewith on September 15, 2014 ("**Scheduling Order**").

One of the Actions that was set forth in the schedules to the Motion was *Yagman v. General Motors Co., et al.*, Case No. 2:14-CV-0496-MWF, pending in the United States District Court for the Central District of California ("**Yagman Action**"). This firm and its co-counsel, Kirkland & Ellis, have exchanged correspondence with Mr. Yagman regarding his belief that service of the Motion was not properly effectuated on him. Enclosed is a copy of the certificate of service that was filed with respect to the Motion which details the efforts made to serve Mr. Yagman. We believe that service was proper; Mr. Yagman contends otherwise.

Honorable Robert E. Gerber  
September 18, 2014  
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Mr. Yagman is aware of the Motion and the Scheduling Order, and he will have an opportunity to file a “No Stay Pleading” with the Court explaining why his Action should not be stayed. Accordingly, as a practical matter, any issues that Mr. Yagman may have about the Motion should be able to be worked through during the No Stay Pleading process.

In the Yagman Action, Mr. Yagman (a former attorney) is appearing *pro se*, and the law firm of Yagman & Reichmann (“**Law Firm**”) is appearing as class counsel. Mr. Yagman’s phone number and business address are the same as the Law Firm. Mr. Yagman will be sent a copy of this letter by regular mail. He refuses overnight delivery, and he has not provided us with a facsimile number or e-mail address. He does not want to communicate by telephone. The Law Firm, c/o Marion Yagman and Joseph Reichmann, will receive a copy of this letter by facsimile, e-mail transmission (at the e-mail address noted on the complaint), and regular mail.

If Your Honor has any questions regarding the foregoing, we are available to respond.

Respectfully submitted,

/s/ Arthur Steinberg

Arthur Steinberg

AJS/sd

cc: Stephen Yagman, individually *pro se*, via US Mail, First Class  
Marion R. Yagman, Esq. (class counsel), via US Mail, First Class, facsimile and e-mail  
Joseph Reichmann, Esq. (class counsel), via US Mail, First Class, facsimile and e-mail

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Andrew B. Bloomer, P.C. (admitted *pro hac vice*)

*Attorneys for General Motors LLC*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
In re	: Chapter 11
	:
MOTORS LIQUIDATION COMPANY, <i>et al.</i> ,	: Case No.: 09-50026 (REG)
f/k/a General Motors Corp., <i>et al.</i>	:
	:
Debtors.	: (Jointly Administered)
-----X	

**CERTIFICATE OF SERVICE**

This is to certify that on *August 4, 2014*, I caused to be served true and correct copies of the *Notice* (the “Notice”) of *Motion of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce This Court’s July 5, 2009 Sale Order And Injunction (Monetary Relief Actions, Other Than Ignition Switch Actions) (with schedules and exhibits)* (the “Motion”) and the *Motion* by electronic mail on all parties receiving notice *via* the Court’s ECF System.

In addition, copies of the documents listed in the annexed service lists were served upon

each of the persons and entities listed therein by causing copies of same to be delivered *via* email and/ or *via* overnight mail at the last known addresses as indicated on the annexed service list.

Dated: September 17, 2014  
New York, New York

KING & SPALDING LLP

By: /s/ Scott I. Davidson  
Arthur J. Steinberg  
Scott Davidson  
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1185 Avenue of the Americas  
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*Attorneys for General Motors LLC*

**Service list For August 4, 2014:**

**Documents served via Email:**

1 - Motion of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce This Court's July 5, 2009 Sale Order And Injunction (Monetary Relief Actions, Other Than Ignition Switch Actions) (with schedules and exhibits); and

2 - Notice of Filing of the Additional Motions to Enforce Sale Order and Conference to be Held in Connection with Such Motions.

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djnewman@akingump.com;	
jdiehl@akingump.com;	

**Service list For August 4, 2014:**

**Documents served via Overnight Delivery:**

1 - Motion of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce This Court's July 5, 2009 Sale Order And Injunction (Monetary Relief Actions, Other Than Ignition Switch Actions) (with schedules and exhibits); and

2 - Notice of Filing of the Additional Motions to Enforce Sale Order and Conference to be Held in Connection with Such Motions.

Edward S. Weisfelner, Esq. - Howard Steel, Esq. - BROWN RUDNICK LLP Seven Times Square New York, New York 10036	Elihu Inselbuch, Esq CAPLIN & DRYSDALE, CHARTERED 600 Lexington Avenue, 21st Floor New York, NY 10022
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**Service list For August 8, 2014:**

**Documents served *via* Overnight Delivery :**

The following documents were served *via* overnight delivery on August 8, 2014 in order to serve a recipient from whom a “changed address” notification was received.

1 - Motion of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce This Court’s July 5, 2009 Sale Order And Injunction (Monetary Relief Actions, Other Than Ignition Switch Actions) (with schedules and exhibits); and

2 - Notice of Filing of the Additional Motions to Enforce Sale Order and Conference to be Held in Connection with Such Motions.

Marion R. Yagman Joseph Reichmann YAGMAN & REICHMANN 475 Washington Blvd. Venice Beach, California 90292	
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**Service list For August 15, 2014:**

**Documents served via Email:**

The following documents were served *via* email on August 15, 2014 in order to serve the recipient from whom a “refusal of delivery” notification was received.

1 - Motion of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce This Court’s July 5, 2009 Sale Order And Injunction (Monetary Relief Actions, Other Than Ignition Switch Actions) (with schedules and exhibits); and

2 - Notice of Filing of the Additional Motions to Enforce Sale Order and Conference to be Held in Connection with Such Motions.

mrygm@msn.com

**Service list For August 19, 2014:**

**Documents served via Email:**

The following documents were served *via* email on August 19, 2014 in order to serve a recipient from whom a “served in error” notification was received.

1 - Motion of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce This Court’s July 5, 2009 Sale Order And Injunction (Monetary Relief Actions, Other Than Ignition Switch Actions) (with schedules and exhibits); and

2 - Notice of Filing of the Additional Motions to Enforce Sale Order and Conference to be Held in Connection with Such Motions.

admin@yagmanlaw.net  
1@yagmanlaw.com

**Service list For August 29, 2014:**

**Documents served via USPS :**

The following documents were served *via* USPS on August 29, 2014 in order to serve a recipient from whom a “bounceback” notification was received.

1 - Motion of General Motors LLC Pursuant To 11 U.S.C. §§ 105 And 363 To Enforce This Court’s July 5, 2009 Sale Order And Injunction (Monetary Relief Actions, Other Than Ignition Switch Actions) (with schedules and exhibits); and

2 - Notice of Filing of the Additional Motions to Enforce Sale Order and Conference to be Held in Connection with Such Motions.

Stephen Yagman 475 Washington Blvd. Venice Beach, California 90292-5287	
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